

BOARD OF SUPERVISORS

Brown County



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LAND CONSERVATION SUBCOMMITTEE

Norb Dantine, Chair  
Dave Kaster, Vice Chair

Bernie Erickson, Mike Fleck, Dan Haefs, Norbert Vande Hei(FSA)

**LAND CONSERVATION SUBCOMMITTEE**

**Monday, February 23, 2009**

**6:00 p.m., PD&T to follow.**

**Room 161, UW-Extension**

**1150 Bellevue Street**

- I. Call Meeting to Order.
  - II. Approve/Modify Agenda.
  - III. Approve/Modify Minutes of Land Conservation Subcommittee of January 26, 2009.
- 
1. Land and Water Conservation Department Monthly Budget Update (To be distributed at meeting.)
  2. Request for Budget Transfer (#08-96): Increase in Expenditures with Offsetting Increase in Revenue: Request to use Groundwater monitoring funds to cover 50% of the costs of well testing done in December on 61 wells in the Town of Morrison. They are covering the remaining 50%.
  3. State Approval of Brown County 2009-2013 Land and Water Resource Management Plan.
  4. Approval of 2008 Annual Report and 2009 Work Plan for Land and Water Conservation Department.
  5. Update /review of City of Green Bay bow hunt at Mental Health Center – Jon Bechle.
  6. Correspondence from Russ Feingold, request approval to apply for stimulus dollars for Waste Transformation Project.
  7. Media articles: United Meadows Dairy (News Release from Wisconsin Department of Justice Fine); Morrison Well testing (Nitrate issues well up in Morrison's water supply); and Glacierland RC&D regarding Waste Transformation Project (Project aims to produce fertilizer from wastes.)
  8. Director's report.
  9. Such other matters as authorized by law.

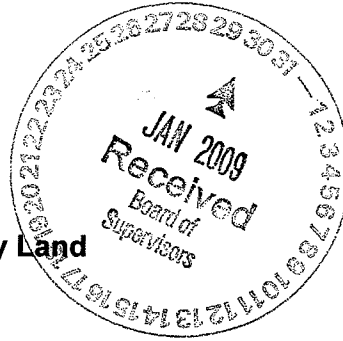
Norb Dantine, Chair

**Attachments**

Notice is hereby given that action by the Committee may be taken on any of the items which are described or listed in this agenda.

Please take notice that it is possible additional members of the Board of Supervisors may attend this meeting, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda. Word97/Agendas/Lcc/February23\_2009.doc

**PROCEEDINGS OF THE BROWN COUNTY**  
**LAND CONSERVATION SUBCOMMITTEE**



Pursuant to Section 18.94 Wis. Stats., a regular meeting of the **Brown County Land Conservation Subcommittee** was held on Monday, January 26, 2009 in Room 161, UW-Extension, 1150 Bellevue Street, Green Bay, Wisconsin

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**Present:** Norb Dantinne, Bernie Erickson, Mike Fleck, Dan Haefs, Dave Kaster  
**Excused:** Norb VandeHei  
**Also Present:** Bill Hafs, Jim Jolly, Brad Holtz  
Greg Hines – Glacierland RC&D  
Tom Hinz, Jayme Sellen  
Attorney Fred Mohr, Don VanderKelen

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**I. Call Meeting to Order:**

The meeting was called to order by Chairman Norb Dantinne at 5:15 p.m.

**II. Approve/Modify Agenda:**

**Motion made by Supervisor Erickson and seconded by Supervisor Fleck to approve the agenda. MOTION APPROVED UNANIMOUSLY**

**III. Approve/Modify Minutes of Land Conservation Subcommittee of December 23:**

**Motion made by Supervisor Fleck and seconded by Kaster to approve the minutes. MOTION APPROVED UNANIMOUSLY**

- 1. Land & Water Conservation Department Monthly Budget Update (to be distributed at meeting):**  
Not Available - No Action
- 2. Variance Request from John Ullmer, 3387 Poolside Drive, Pulaski, proposed feedlot and existing feedlot closer than 1000 feet to property line. (Referred back from January County Board):**

At the last meeting a motion was made that Mr. Ullmer pay the normal permit fee on Feedlot #3 in the amount of \$1,200 and that the fees be waived on Feedlot #1. Attorney Mohr explained that under the present ordinance the committee cannot override the ordinance requirements, that can only be done by the County Board. The committee can recommend minimal fees. Mr. Haefs explained this would be \$4,800, \$1,200 for two barnyards, with a double provision for "after the fact"

There was also discussion to bring forward a communication which would change the ordinance so that the committee would have discretion to amend any fees under extenuating circumstances. Attorney Mohr was asked to draft such communication. When asked by Supervisor Erickson if the ordinance covered all

III

departments of the County or is exclusively for Land Conservation, Attorney Mohr explained that in this instance it is strictly in the Land Conservation section of the ordinance. Erickson asked that this section be reviewed as it could also affect the Zoning Department.

**Motion made by Supervisor Erickson and seconded by Supervisor Fleck to recommend to the County Board that they approve the fees related to a variance request for proposed feedlot and existing feedlot closer than 1000 feet to the property line for John Ullmer, that being the normal permit fee on Feedlot #3 in the amount of \$1,200, waiving the fee on Feedlot #1.**

**MOTION APPROVED UNANIMOUSLY**

3. **Glacierland RC&D:**

Greg Hines explained that Glacierland RC&D is a non-profit organization encompassing nine counties in Northeastern Wisconsin. He distributed a 2008 project list (attached), along with a flier with additional information. Brown County pays \$75 annually for membership in the RC&D. Hines stated there will be a full council meeting held on Friday, 1/30/09, in Chilton at which time there will be a presentation regarding waste transformation. He thanked Supervisor Krueger for representing Brown County on this council.

Hines informed the committee that a grant has been received in Brown County to be used for a sediment and erosion control project this spring in the Baird Creek greenway, along with a tree planting project. A 2008 Project List was distributed and is attached.

The Fall/Winter 2008 newsletter was also distributed and is attached. Mr. Hines noted that the Emerald Ash Borer has been found in Wisconsin in the Newberg area (east of West Bend). He explained that it will eventually kill every ash tree in its path. The insect travels approximately ½ mile annually, however, can be transported in cut wood, etc. He suggests there be education programs, stating that Fond du Lac is now in a quarantined area. Hines explained that the United Kingdom is requesting infected ash trees chopped to 1 inch in diameter be shipped to England to be used to create bio fuel through a gasification process.

Supervisor Erickson asked that Mr. Hines give an educational presentation at a meeting of the Great Lakes Fishermen and he agreed to do so.

**Motion made by Supervisor Fleck and seconded by Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY**

4. **Grant Application Review for Agricultural Development & Diversification (ADD) Grant Program:**

Brad Holtz requested permission to apply for \$50,000 in funding from DATCP to support existing personnel costs, consultant, and testing costs associated with a project which converts organic waste streams from meatpackers, renderers, sewerage districts, and dairies to a palletized pathogenic free fertilizer to be used all over the United States. Brown County's goal for this effort is to create a financially viable alternative to land application of these wastes while creating a new industry with new jobs in our community.

**Motion made by Supervisor Fleck and seconded by Kaster to approve.  
MOTION APPROVED UNANIMOUSLY**

**5. Morrison Well Testing Results from December 2, 2008, approval of bills from Morrison, Budget Transfer (attached):**

Bill Hafs reported the results of well testing which was recently done in Morrison, stating that in 2006 34% of the wells were higher than the drinking water standards, in 2007 testing showed 28%, and in 2008 numbers were back up to 34%. Hafs expressed concern stating that where there is shallow soil, sinkholes, or fractured bedrock, anything put on the land is going to get into the drinking water. The Land Conservation Department works with farmers to let them know which areas have the most soluble soil so that they can avoid it.

He distributed a map showing agriculture groundwater management zones and karst features in the Town of Morrison (attached).

A request was made for payment to Clean Water Testing LLC in the total amount of \$1,048.26.

**Motion made by Supervisor Erickson and seconded by Kaster to approve payment of bills in the amount of \$1,048.26.  
MOTION APPROVED UNANIMOUSLY**

**6. Director's Report:  
No Report**

**7. Such other matters as authorized by law: None**

**Motion made by Supervisor Erickson and seconded by Fleck to adjourn at 5:35 p.m. MOTION APPROVED UNANIMOUSLY**

Respectfully submitted,

Rae G. Knippel  
Recording Secretary

# 2008 Project List

## **Baird Creek Sediment and Erosion Control Project**

Correction of an identified, critical erosion area in the Baird Creek greenway.

## **Baird Creek Tree Planting and Reforestation**

Re-plant trees within the Baird Creek area that were removed during a utility pipeline construction project.

## **Benefits of Compost Tea on Grazed Pastures**

Research project to determine if the timely application of aerated compost tea will benefit plant health and soil structure enough to improve grass growth through the grazing season on an organic rotational-grazing dairy operation.

## **Benefits of Fish Hydrolysates-based Foliar Spray for Managed Intensive Grazing**

Research project to determine if application of a fish hydrolysates-based foliar spray will provide significant, cost-effective pasture, animal and end product benefits for beef and dairy graziers.

## **Endowment Fund**

Creation and promotion of an Endowment Fund which will, when mature, ensure the continued sustainability of Glacierland RC&D and its newly-created subsidiary, North East Wisconsin Conservation Corps.

## **Enhancing Utilization of Hardwoods in Eastern U.S.**

Research project designed to determine consumers' preference for various types of hardwoods and improve the market environment for eastern U.S. hardwoods.

## **Fall Food Festival**

Annual event providing consumers with exposure to local food growers and producers of value-added products through a widely publicized festival.

## **Farm Fresh Atlas**

Guide to finding and buying farm fresh, sustainably raised food in Eastern Wisconsin. Distributed free of charge to the public.

## **Grazing – Information & Education**

Provide education and information to farmers who either are involved in or want to transition to managed grazing. Workshops offer training and expert speakers who share their expertise with farmers.

## **Grazing – Technical Service Provide (TSP)**

Utilizing the contacts made through the workshops sponsored by the Information & Education Grazing Grant, a TSP will identify new farmers and conventional farmers who opt to transition to managed grazing and will assist with writing grazing plans.

## **Lake States Lumber Association**

Providing administrative support to this organization and their education branch, Lake States Lumber Association Education.

## **Mobile HewSaw Demonstration Project**

Demonstration of the mobile hewsaw machinery in conjunction with the Smallwood May 2008 conference. The hewsaw is new technology imported from New Zealand.

## **Multiple Wood-Using Systems in One Location**

Feasibility study to identify production systems that could operate in one location and work together to optimize use of wood waste/forest residue, for the purpose of encouraging the use of forestry biomass as energy sources.

## **Sheboygan River Basin**

Several projects that increase public awareness of the health of the Sheboygan River and promote clean water practices.

## **Sustainable Fox Valley Initiative**

Increase awareness among Fox Valley residents about sustainable community development that impacts the future health of the community. Demonstrate the implementation of The Natural Step planning process with the issue of food security for the community.

## **Wood Products and Timber Utilization**

Multi-phased project designed to promote the wood products industry. Includes conferences on sustainable forestry, staying competitive in today's markets for secondary forest industry, and lean manufacturing for forest industry. Promotion of wood industry organizations.

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Phone: (920) 465-3006  
Fax: (920) 884-3914  
Website: [www.glacierlandrcd.org](http://www.glacierlandrcd.org)  
Email: [office@glacierlandrcd.org](mailto:office@glacierlandrcd.org)



*Serving Brown, Calumet,  
Door, Fond du Lac,  
Kewaunee, Manitowoc,  
Outagamie, Sheboygan,  
and Winnebago Counties,  
and the Oneida Nation*

Fall/Winter 2008

## EMERALD ASH BORER BURROWS ITS WAY INTO AREA

### Inside this issue:

Gas Costs How Much??!	2
From the President's Desk	2
Sustainability Comes in Many Forms and Sizes	3
New Projects, New Staff	4
Carbon Sequestration	4

Discovered in Southern Michigan in 2002, the Emerald Ash Borer (EAB) now has burrowed its way into the southern outskirts of the Glacierland RC&D area. Its presence has been found in Michigan, Illinois, Indiana, a host of eastern seaboard states and now Wisconsin. Newburg, just east of West Bend, will be forever known as ground zero for the outbreak of the EAB in Wisconsin. Since it was found in August 2008, Ozaukee, Washington, Fond du Lac and Sheboygan Counties are in a quarantine area. According to State Statute this means that:

- 1) wood can be brought into this area,
- 2) wood can be moved around in this area, and most important,
- 3) wood cannot be taken out of this area.

The EAB has killed over 40 million trees in other states. In Wisconsin alone, there are approximately 465 million trees in our rural areas and 5 million in the urban sectors. All have the potential of falling victim to the EAB.

It costs approximately \$350 to remove an 18 inch diameter tree, so naturally one has to wonder who will pay for the mounting costs of removing infested

trees. Another issue at stake is what we do with all the wood. As unfortunate as this disaster is there is opportunity for Glacierland RC&D. Besides the continuing effort of informing the public, we have a need to develop yarding areas where wood can be hauled. We can also

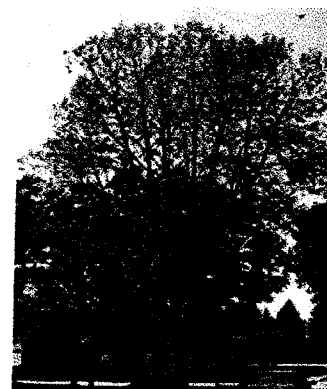
develop markets for this wood resource such as:

- 1) fuel for schools, highway departments, etc,
- 2) pelletizing and briquettes,
- 3) value added products such as flooring, etc.
- 4) locating portable saw mills for harvesting.

Everyone's input and assistance is needed. Do not wait until the EAB strikes in your neighborhood. Get involved now!



*An Adult Emerald Ash Borer  
(enlarged photo)*

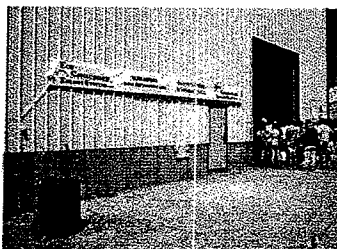


*Ash Tree Infested with EAB*

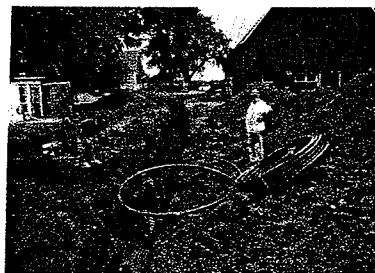
## GAS COSTS HOW MUCH??!

What was unthinkable a few years ago has happened, and consumers hate to see it — \$4 per gallon for gasoline! However, many advocates for renewable energy wish it would go to \$6 per gallon! It seems that to create positive change in our society we have to have a crisis. Gasoline costing \$4 per gallon is a near crisis, giving rise to technological creativity such as hybrid vehicles, photo voltaic cells, geothermal, wind energy, hydrogen, etc. And let's not forget about ethanol and biodiesel. We must remember that petroleum is a limited resource. And if \$4 for a gallon of gasoline is not a crisis, it is a subtle reminder that a crisis looms on our horizon sometime in our future. Those who will survive this crisis are those who take action now. Get involved in your Glacierland RC&D. We "Make Things Happen" and would welcome your participation.

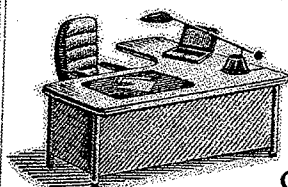
*Glacierland RC&D Council provided assistance to the Wiese Bros Eco Combustion Manure Incineration Project during Farm Technology Days in Brown County. This technology is one of a kind — in the world!!*



*Northeast WI Technical College has made the commitment to teach our youth about renewable energy, including the planting of biomass fuel plots on its Green Bay Campus. Doug Sutter, Ag Instructor, conducts a field analysis of switchgrass planted this last spring.*



*Glacierland RC&D's own Council member, Ed Miller did the math and found that installing geothermal to heat and cool his home was not only environmentally sound, but had a relatively short pay back time.*



## From the President's Desk

If you Google the phrase "going green", your search will turn up sites with names like "Think Green", "Go Green", "10 Ways to Go Green", "The Green Guide", and "How to Go Green", to name just a few. Clearly, the trend to "go green" has caught on and is spreading! This concept of "going green" has resulted in more and more people becoming environmentally conscious in all their decisions. Questions not raised a few years ago are commonly asked now: "How can I reduce pollution (air/water/land) by my purchasing choices?", "Where can I buy locally-grown foods?", "How can I use less energy — at home, at work, in my mode of transportation?" Questions like these — and their answers — are making us smarter consumers who are doing a better job of taking care of our environment. The RC&D program is helping to further the cause of "Going Green" -- the WI Association of RC&D's annual conference (sponsored by Town & Country RC&D) was entitled "Going Green — Sustainable Communities and Farms" and was a rich resource of information on how to go green. Glacierland RC&D is also doing its part to promote aspects of going green — from workshops on organic farming to promotion of

managed grazing to assisting with the publication of the Farm Fresh Atlas. And we are always looking for more projects and grants to help further the green cause. Contact us with your ideas!

"Going Green" is not the only sustainable project that Glacierland RC&D is pursuing. We have established an Endowment Fund for the purpose of ensuring the future sustainability of Glacierland RC&D. We are excited about the potential that the Fund holds and its implication for the future of Glacierland RC&D's work. When this fund reaches its goal, Glacierland RC&D will be able to finance projects that were in past years carried out by the WI Conservation Corp. However, our Endowment Fund is still in its infancy and needs your help to grow! If you believe as much as we do in the potential that Glacierland RC&D has for impacting our communities, enriching the lives of local residents, and helping to improve the environment, then we ask you to help us by coming alongside and helping to locate individuals or businesses that would be possible contributors to our Endowment Fund.

*John DeFhar*

## SUSTAINABILITY COMES IN MANY FORMS AND SIZES

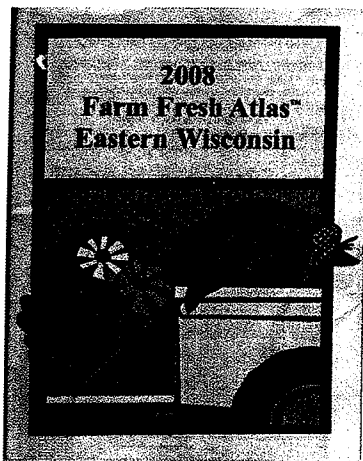
With the potential for climate change, high gas prices and increasing food costs, one word gets tossed around more than any other, and that word is "Sustainability!" According to The Natural Step process, sustainability is defined as "the merging of the environmental, economic and social objectives." It has been likened

to a three legged stool. You cannot be sustainable unless all three objectives are adhered to (otherwise the stool will tip over).

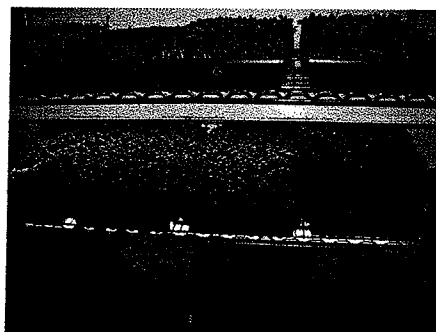
The Farm Fresh Atlas that Glacierland RC&D has assisted with is a great example of sustainability. Growing local food stimulates the

local economy, provides healthy food for the local community and improves the environment by not having to transport food great distances. Did you know that on average the food you buy in the grocery store travels about 1,300 miles before you eat it? Buying food that is locally grown will greatly reduce the carbon footprint that we create and decrease our dependence on foreign oil.

Other examples of sustainability that Glacierland RC&D is presently active in are: Buy Local – Buy WI, Community Gardens – Community Farms Project, ECOS- Fox Valley, Sustainable Fox Valley, Rotational Grazing, Renewable Energy, etc. These projects are not fads. They are rapidly growing trends, and your participation is needed for your own personal well being and that of the community in which you live.



To obtain your copy of the 2008 Farm Fresh Atlas, contact Glacierland RC&D (920/465-3006).



Wheatgrass and sunflower sprouts being grown on the Keune Farm as a source of healthy food for area residents.



Kevin Keune tending his "greens and herbs" garden plots to provide healthy food for families, nutrition and enjoyment.

Scenes from a Pasture Walk focusing on rotational grazing.



The Oneida Nation grows white corn for healthy food and to follow their ancestral diet. Shown here, the corn dries in a shed until it is needed for food.

*Executive Committee*

Jack Van Dixhorn  
*President*  
Sheboygan County  
920/458-5220

James Costello  
*Vice President*  
Fond du Lac County  
920/921-2521

Mike Troge  
*Treasurer*  
Oneida Nation  
920/496-5348

Edmund Miller  
*Secretary*  
Outagamie County  
920/731-0432

Gerald Moehn  
Calumet County  
920/439-1436

Cletus Fontaine  
Door County  
920/825-1209

Chuck Wagner  
Kewaunee County  
920/837-7712

Clyde Mueller  
Manitowoc County  
920/693-8512

Nancy Barker  
Winnebago County  
920/725-1441

Jack Krueger  
Brown County  
920/437-3163

## NEW PROJECTS, NEW STAFF

The motto for Glacierland RC&D is "Making Things Happen", and that is exactly what we've been doing. In the past few months, we have taken on partnerships with several organizations for whom we have begun to provide administrative and accounting support.

We are working with Lake States Lumber Association, assisting them with office support and helping their Education component in planning and sponsoring workshops for those in the lumber industry.

We have also begun to provide office support to Valerie Adamski, the new director for GrassWorks, Inc., which is an organization that provides support and education to farmers involved in managed grazing.

A third organization we have begun to work with is The Sustainable Fox Valley Initiative, headed up by Leslie Taylor.

This newly-formed organization will focus on sustainable development projects in NE Wisconsin and will work to increase awareness of The Natural Step framework for sustainable development.

All of this extra work has translated into Glacierland RC&D hiring our first bookkeeper. Tricia Hamilton started work with us in April and comes to us with an Associate's degree in Accounting and several years' experience in the accounting field.



Tricia Hamilton, Glacierland RC&D Bookkeeper

## CARBON SEQUESTRATION

Carbon Sequestration is defined as storing carbon in the soil's organic matter as well as in trees and plants. While carbon loading our atmosphere is being blamed for global warming and climate change, agriculture is playing a major role in removing carbon from the atmosphere through practices such as no-tilling, grazing, manure incineration, digestors,

planting trees and biofuels grasses. Glacierland RC&D is partnering with the National Farmers Union to promote carbon sequestration for profit with farmers, while addressing environmental and social concerns. Carbon sequestration can be another method of generating revenue on farms. Call our office to learn how.

## INTERESTED IN WHAT WE ARE DOING?

If something in this newsletter has caught your interest, and you would like to join us in our efforts to conserve, protect and develop our wonderful natural resources, contact us! We welcome new friends and volunteers! Call us or email us!

GLACIERLAND  
RESOURCE CONSERVATION  
AND DEVELOPMENT, INC.  
"Making Things Happen"


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Green Bay, WI 54311


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Website: [www.glacierlandrcd.org](http://www.glacierlandrcd.org)  
Email: [office@glacierlandrcd.org](mailto:office@glacierlandrcd.org)

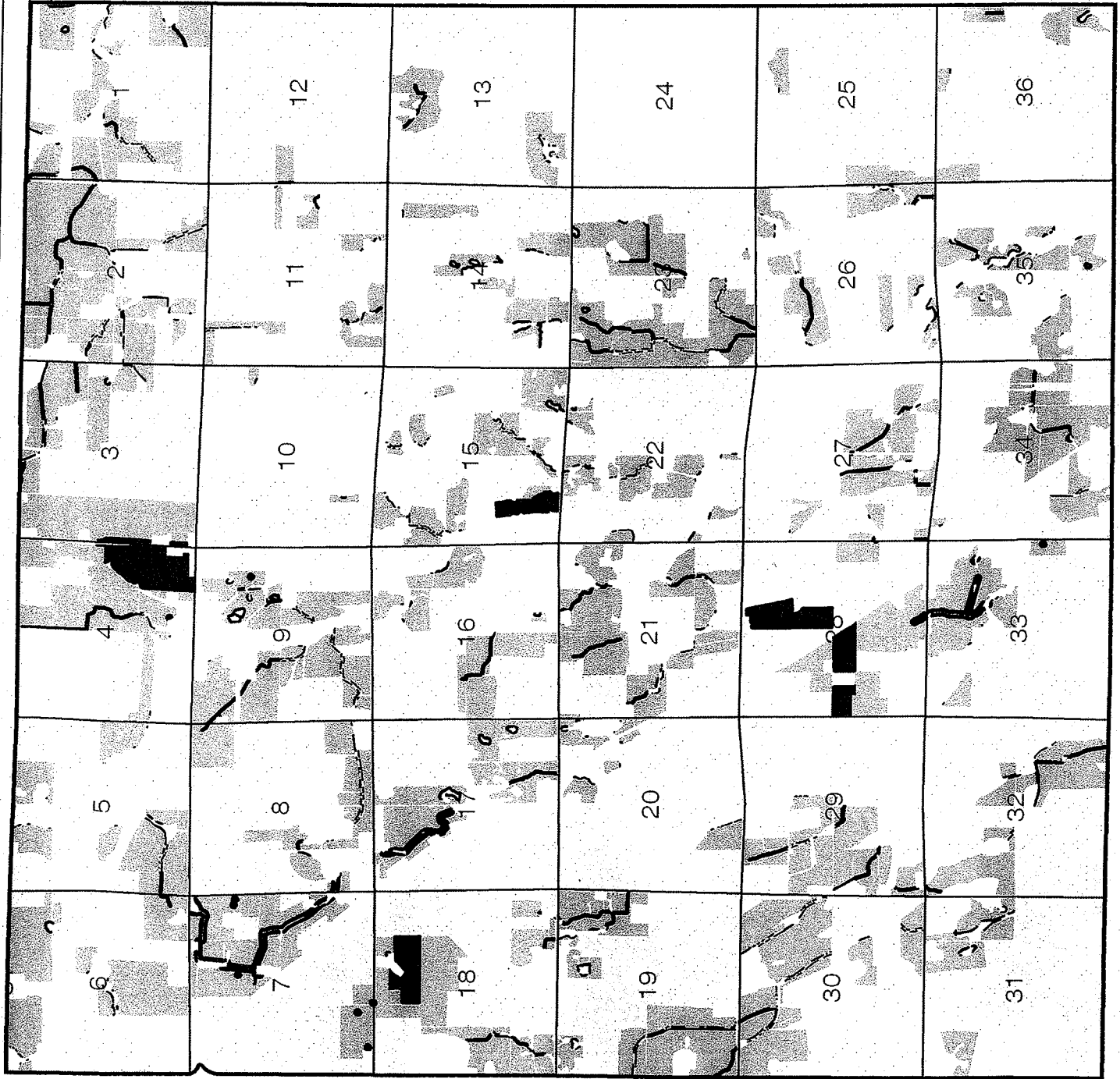
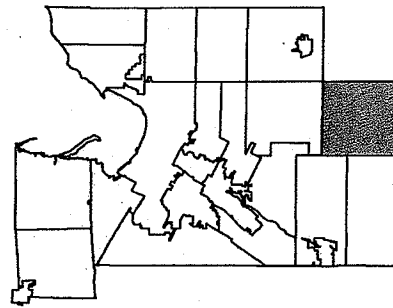
# **Agriculture Groundwater Management Zone**

**Town of Morrison**

 Agriculture Groundwater  
Management Zone (AGMZ)

 Agriculture Fields  
Intersect with AGMZ  
5,655 acres

 Agriculture Fields  
Not in AGMZ  
8,752 acres



## REQUEST FOR BUDGET TRANSFER

**INSTRUCTIONS:** This form is to be completed for any Category 1, 2a, 2b, 3, 4, or 5 budget transfer. Completed forms should be submitted to the Department of Administration.

### TYPE OF TRANSFER

(check one)

### DESCRIPTION

### APPROVAL LEVEL

☐ Category 1

Reallocation from one line item to another within the major budget categories

Department Head

☐ Category 2

☐ a. Change in Outlay not requiring transfer of funds from another major budget category.

County Executive

☐ b. Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category.

County Board

☐ Category 3

☐ a. Reallocation between Budget Categories other than 2b or 3b transfers.

County Executive

☐ b. Reallocation of Salaries and Fringe Benefits to another major budget category except contracted services, or reallocation to Salaries and Fringe Benefits from another major budget category except contracted services.

County Board

☐ Category 4

Interdepartmental Transfer (including contingency or general fund transfers)

County Board

☒ Category 5

Increase in Expenditures with Offsetting Increase in Revenue

County Board

**DESCRIPTION AND JUSTIFICATION** (attach additional sheets as needed). In narrative form, describe the requested transfer to include amount, account to transfer from, account to transfer to, and the effect on revenue and expense.

Request to use Groundwater monitoring funds to cover 50% of the costs of well testing done in December on 61 wells in the Town of Morrison. They are covering the remaining 50%.

Increase: Professional Services	20-4850-500908	\$1048
Increase: Fund Balance Applied	20-4850-492900	\$1048

Land and Water Conservation

*Bill Hafs*

Department

Department Head

1/19/09

Date

☒ Approved

☐ Disapproved

*Tom Hays*  
County Executive

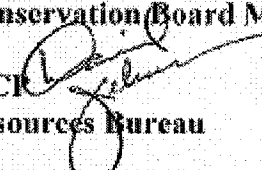
1/28/09  
Date

*Shirley L. Hays*  
1/20/09  
(2)

**CORRESPONDENCE/MEMORANDUM** \_\_\_\_\_ **State of Wisconsin**

**DATE:** January 22, 2009

**TO:** Land and Water Conservation Board Members and Advisors

**FROM:** Dave Jelinski, DATCP   
Land and Water Resources Bureau

**SUBJECT:** Recommendation for Approval of the *Brown County Land and Water Resource Management Plan*

**Action Requested:** This is an action item. The department requests that the LWCB recommend approval of the *Brown County Land and Water Resource Management Plan* through December 31, 2013.

**Summary:** The *Brown County Land and Water Resource Management Plan* revises and updates the county's 2003 LWRM plan. The plan describes the land and water resources in the county. It describes the role of the land conservation division and its partner agencies in implementing the plan. Conservation-based regulatory requirements used in Brown County, including the implementation strategy for performance standards and priority farms, are discussed.

The plan identifies and describes activities that will achieve county goals. These goals include:

- Identifying high priority farms and implementing best management practices, such as:
  - permanent vegetated buffers
  - nutrient management plans
  - no winter spreading in identified areas
- Groundwater protection
- Shoreland protection

DATCP staff has reviewed the *Brown County Land and Water Resource Management Plan* using the provided checklist. Staff finds that the plan complies with all the requirements of section 92.10, Wisconsin Statutes, and Chapter ATCP 50, Wisconsin Administrative Code. Staff recommends approval of the 2009 *Brown County Land and Water Resource Management Plan*.

**Materials Provided:**

- Plan Review Checklist
- *Brown County Land and Water Resource Management Plan* summary, workplan and budget

**Presenters:** William Hafs, Brown County Conservationist  
Justin Shell, DATCP

# Land and Water Resource Management Plan Review Checklist

County: Brown CountyDate Plan Submitted to DATCP For Review: 9/5/2008Preliminary Review Date: 9/5/2008 Final Review Date: 10/28/2008

**YES**      **NO**

## PLAN DEVELOPMENT AND PUBLIC PARTICIPATION

1. Does the plan or documentation submitted with the plan indicate consultation with a local advisory committee? Back of cover and p1  
[s. ATCP 50.12(3)(a)]

☒      ☐

*Note: This committee should reflect a broad spectrum of public interests and perspectives.*

2. Does the plan or documentation submitted with the plan indicate that the county made a reasonable effort to:

☒      ☐

a) notify affected landowners of committee findings about key problems and needed conservation practices, if individual site determinations of compliance with performance standards or prohibitions are included in the plan? p2

b) provide an opportunity for landowners to present information on the accuracy of committee findings? p2

☒      ☐

[ss. 92.10(6)(b); ATCP 50.12(4)(b)]

*Note: Landowners must receive adequate notification to allow meaningful participation. The required public hearing provides an opportunity to present information.*

3. Does the plan or documentation submitted with the plan indicate the county held a public hearing on the plan? p2  
[ss. 92.10(6)(c); ATCP 50.12(4)(a)]

☒      ☐

If yes, list the date(s) of the public hearing(s): 10/27/2008

4. Does the plan or documentation submitted with the plan indicate that the county board approved the plan? A checked no will not affect plan approval, see note below. [s. ATCP 50.12(5)]

☐      ☒

If yes, list the date of county board approval: \_\_\_\_\_

*Note: The county board may approve the county LWRM plan after the department approves the plan. The plan approved by the county board must be the same plan approved by the department. If the department requires changes to a plan previously approved by the county board, the department's approval does not take effect until the county board approves the modified plan.*

**ASSESSMENT OF WATER QUALITY AND RESOURCE CONDITIONS****YES****NO**

5. Does the plan include a county-wide assessment of water quality and soil erosion conditions which describes: pp2-20

☒☐

- a) relevant land use, natural resource, water quality and soil data?

*Note: This may include (i) the distribution of major soil types and surface topographic features, (ii) watershed areas, including their geographic boundaries, and (iii) land use categories and their distribution.*

- b) water quality information from basin water quality plans or from other sources, including DNR water quality assessments? pp2-20

☒☐

- c) soil erosion conditions? pp2-20

☒☐

*Note: This may include an estimate of the soil erosion rates for (i) the county as a whole, (ii) for local areas where erosion rates are especially high, and (iii) watershed or other geographical areas.*

[ss. 92.10(6)(a)1.; ATPC 50.12(2)(a)]

**GOALS, OBJECTIVES AND ACTIONS**

6. Does the plan describe in reasonable detail:

- a) water quality objectives, including those for groundwater, water basins, priority watersheds and priority lakes? pp21-24

☒☐

- b) consultation with DNR concerning those water quality objectives for each water basin, priority watershed and priority lake?

☒☐

[ss. 92.10(6)(a)2.; ATPC 50.12(2)(c)] p24

7. Does the plan describe in reasonable detail:

- a) key water quality and soil erosion problem areas? pp24-26

☒☐

- b) consultation with DNR to identify those key water quality problems areas? p24

☒☐

8. Does the plan describe in reasonable detail a plan to identify priority farms in the county? p27

☒☐

*Note: The plan should focus on criteria identified in [s. ATPC 50.12(2)(f)]*

**YES**      **NO**

9. Does the plan describe in reasonable detail:

☒      ☐

- a) applicable performance standards and prohibitions to address nonpoint source pollution control goals? p33  
[s. 92.10(6)(a)4.]

*Note: In addition to the performance standards and prohibitions authorized by chs. 92 and 281, Stats., this may include those under ch. 283 and ss. 59.692 and 59.693, Stats.*

- b) conservation practices needed to address key water quality and erosion problems? p26  
[ss. 92.10(6)(a)3.;ATCP 50.12(2)(e)]

☒      ☐

- c) county strategies to encourage voluntary implementation of conservation practices listed under s. ATCP 50.04? p27  
[ss. 92.10(6)(a)4.;ATCP 50.12(2)(g)]

☒      ☐**PLANNED ACTIVITIES**

10. Does the plan include a multi-year description of planned county activities to:

- a) meet specific water quality objectives and priorities identified in the county's land and water resource management plan (see no. 6-9 above)? pp28-32

☒      ☐

- b) ensure compliance with the performance standards and prohibitions, including implementation of farm conservation practices required under ATCP 50.04? pp28-32  
[ss. 92.10(6)(a)5.;ATCP 50.12(2)(i)]

☒      ☐

11. Does the multi-year description of planned activities identify the priorities for each activity listed in 10a) and b) above? pp28-32  
[ss. 92.10(6)(a)5.;ATCP 50.12(2)(i)]

☒      ☐

12. Does multi-year description of planned activities identify the expected costs for activities based on a reasonable assessment of available funding and resources? pp28-32  
[ss. 92.10(4)(d);ATCP 50.12(2)(i);ATCP 50.12(3)(f)]

☒      ☐

**REGULATIONS FOR PLAN IMPLEMENTATION****YES****NC**

13. Does the plan describe in reasonable detail:

- a) state and local regulations that the county will use to implement the county plan? pp33-38

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*Note: The department may request the county to provide copies of relevant local regulations under [s. ATCP 50.12(2)(b)].*

- b) compliance procedures, including notice, hearing, enforcement and appeal procedures, that will apply if the county takes action against a landowner for failure to implement conservation practices required under [ss. ATCP 50.12(2)(h)], NR 151 or related local regulations? pp35-36

☒☐**INFORMATION AND EDUCATION STRATEGY**

14. Does the plan describe in reasonable detail an information and education strategy including information related to conservation practices and cost-share funding? p36

[ss. 92.10(6)(a)7.;ATCP 50.12(2)(k)]

☒☐**COORDINATION**

15. Does the plan describe in reasonable detail how the county will coordinate its land and water conservation program with federal, state and local agencies, including roles and responsibilities? p37

[ss. 92.10(6)(a)8.;ATCP 50.12(2)(L) and (3)(h)]

☒☐**MONITORING AND EVALUATION**

16. Does the plan describe in reasonable detail a system to monitor planned activities and measure the progress of activities in meeting plan goals and objectives? p37

[ss. 92.10(6)(a)6.;ATCP 50.12(2)(j)]

☒☐**SUMMARY**

17. Does the plan meet all of the requirements for approval as listed above?

☒☐**STAFF RECOMMENDATION**

18. Staff has reviewed the plan based on the criteria required in ss. ATCP 50.12 and ATCP 50.30 (3) and s. 92.10 (6), Stats. and recommend approval of this plan.

☒☐

Date Reviewed: 10/28/2008 Staff Signature

*Justin Shell*

# LAND AND WATER CONSERVATION DEPARTMENT

## Brown County

Agriculture and Extension Service Center  
1150 Bellevue Street  
Green Bay, WI 54302  
Phone: (920) 391-4620 Fax: (920) 391-4617  
hafs\_bc@co.brown.wi.us

LCD Web Site: [www.co.brown.wi.us/land\\_conservation/](http://www.co.brown.wi.us/land_conservation/)

**BILL HAFS**

COUNTY CONSERVATIONIST

**February 3, 2009**

### **Presentation to State of Wisconsin Land and Water Conservation Board 2009-2013 Brown County Land and Water Resource Management Plan**

#### **1. Major Accomplishments of 2004-2008 Brown County Land and Water Resource Management Plan.**

<b>2004-2008 LWRM Plan Goals</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>TOTAL INSTALLE D 2004-08</b>
Install buffer strips on 25 miles of streams by 2008  (400 miles buffers needed estimated 2004)	6.87 miles	6.59 miles	2.14 miles	0.86 miles	5.8 miles	22.26 miles
Install Nutrient Management Plans on 25,000 acres (new acres) by 2008  (170,879 acres cropland total)	7,136 acres	12,858.8 acres	9,608.2 acres	4030.4 acres	9,281.8 acres	42,915.20 acres
Annually review and certify existing and new Nutrient Management Plans to 75,000 acres by 2008.  (170,879 acres cropland total)	57,136 acres	69,994.8 acres	79,603 acres	83,633.4 acres	92,915.2 acres	92,915.2 acres
Install conservation practices to T value rates on fields in ASMA of 2,500 acres per year (12,500 total) by 2008  (25,140 acres estimated > T total)	2,524.8 acres	3,089.8 acres	2,753.5 acres	1383.5 acres	975 acres	10,726 acres
Install conservation practices to correct State Manure Management Prohibitions on 25 sites by 2008  (73 total sites est in 2004)	19 sites	19 sites	13 sites	10 sites	11 sites	72 conservation practices

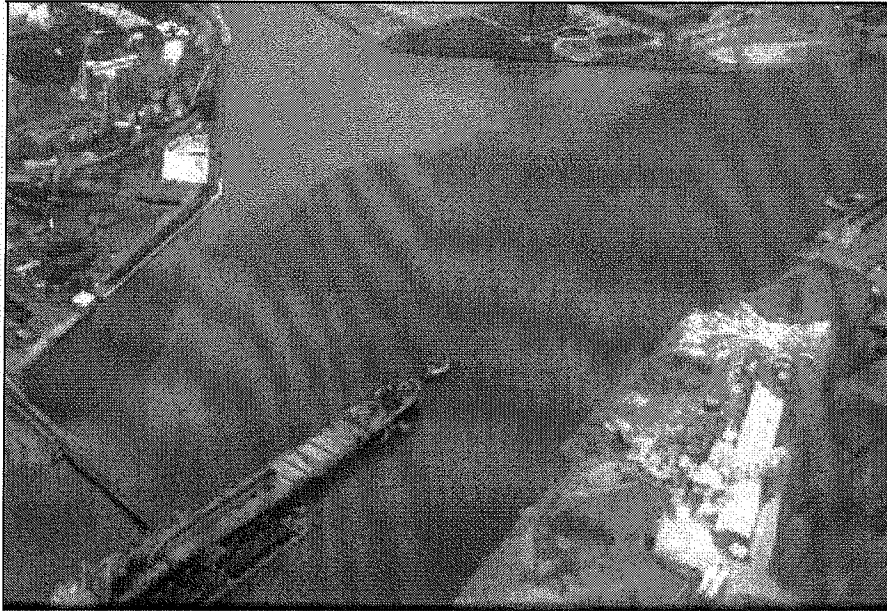
## **2. Major Brown County Resource Concerns**

### **a. Groundwater problems in Town of Morrison**

- May 2006 well testing by UWSP = 34% wells > 10 ppm nitrates
- February 2007 well testing by UWSP = 28% wells > 10 ppm nitrates
- December 2008 well testing (after fall application of wastes) by Clean Water Testing LLC = 34% > 10 ppm nitrates.

### **b. Suspended sediment and phosphorus loading to Fox River and Green Bay**

- Fox River is largest contributor of Phosphorus and second largest contributor of sediment to Lake Michigan.
- Agriculture is the predominant source of phosphorus and sediment loading to Fox River and Green Bay.



East River as it enters Fox River approximately 1.5 miles from mouth of Green Bay.

### **c. Agriculture trends**

- Brown County has more animal units per acre of cropland than any other county in Wisconsin. 164,237.2 acres of cropland/ 90,000 AU = 1.82 acres of cropland per AU.
- Brown County has more CAFO's than any other county in Wisconsin. Brown County has 15 dairy operations greater than 1000 AU and 15 between 500 and 1000 au.
- Loss of Agriculture land 182,672.1 acres in 2000 to 164,237 acres in 2008.

### **d. Animal Waste Management**

- Nutrient management plan development and implementation.
- Concentration of livestock operations, reduced cropland, distribution of animal waste resulting inadequate land available for land application of wastes.
- Winter spreading plans.
- Other wastes not included on 590 plans and stored in animal waste storage facilities.

## **3. Priority Goals, Objectives and Activities – High priority**

### **a. Identify priority farms**

- Identify Ag Operations
- Rank farms
- Track Implementation/compliance
- Notify Priority farms/needed actions

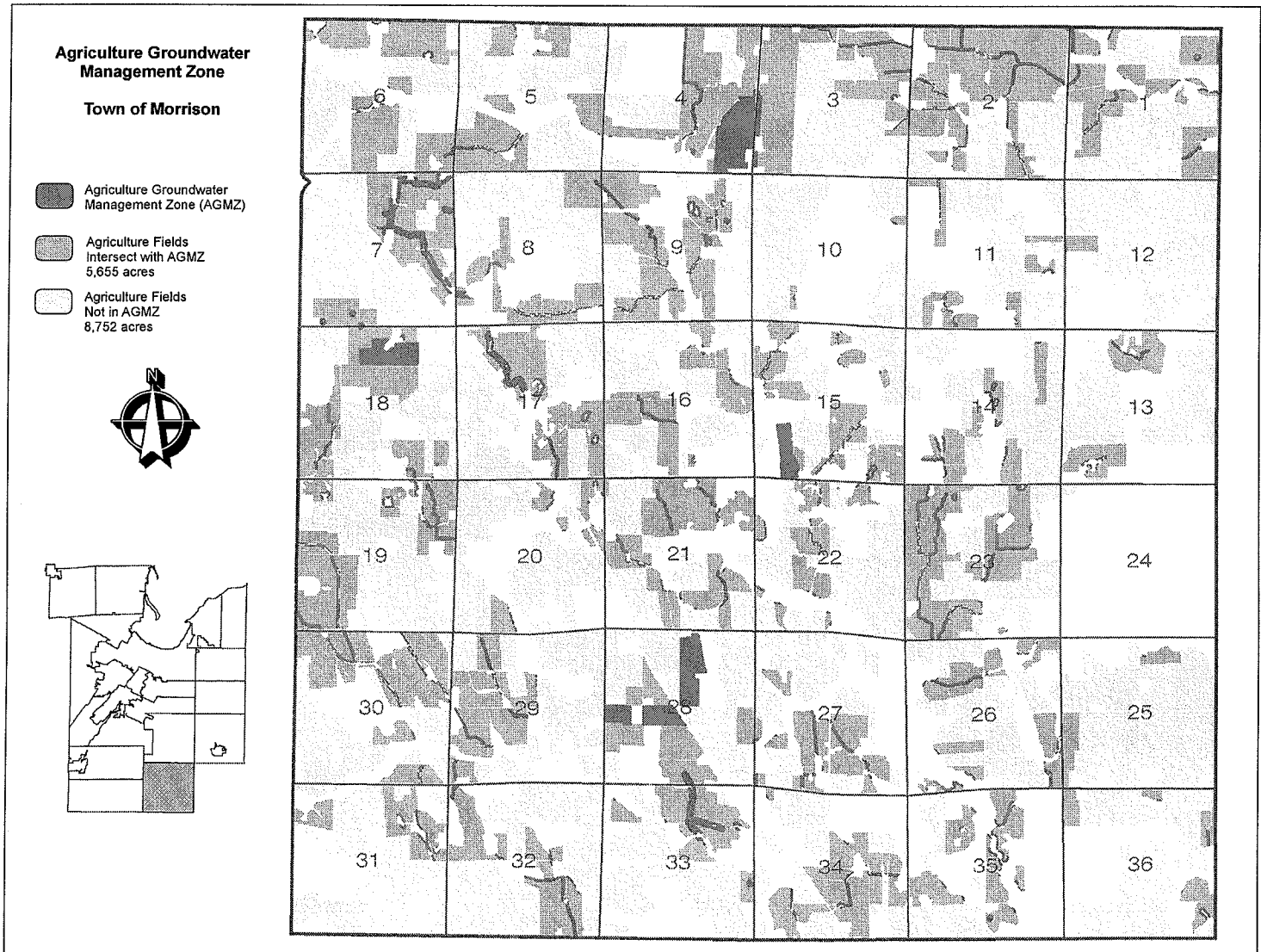
### **b. Implement Best Management Practices BMP's**

- Implement BMP's in Ag Groundwater Management Zones (AGMZ's)
- Animal waste management ordinance Chapter 26 administration
- Buffer installation Chapter 22, 10 administration
- Waste Transformation Project administration
- Groundwater Protection Program administration

- West Shore Pike Habitat Restoration Project administration
- Total Maximum Daily Load (TMDL) administration
- Windmill Siting administration

#### **AGRICULTURE GROUNDWATER MANAGEMENT ZONES (AGMZ)**

Agriculture Groundwater Management Zones (AGMZ) have been identified as locations in Brown County with less than 5 feet of soil to carbonate bedrock or drainage to sinkholes or bedrock openings that have been field verified.



Only sites that have been field verified are mapped.

#### **4. Measures of Success**

- Track LWRM Plan accomplishments on Brown County GIS data base.
- State Agriculture non point performance standards tracked on Brown County GIS data base.
- Nutrient Management plan reporting to state.
- Brown County Land and Water Conservation Department annual report.
- Brown County Budgetary performance measures which include
  - Winter spreading plans
  - Animal waste complaints, ordinance permits, animal waste storage inspections.
  - Miles of buffer strips installed.
  - Old wells properly abandoned.



# BROWN COUNTY LAND & WATER CONSERVATION DEPARTMENT



2008 Annual Report and 2009 Work Plan

## **Land Conservation Committee**

The Land Conservation Committee is a standing committee of the Brown County Board. County governments are authorized to create a committee that broadly represents local interests for the conservation of soil, water, and related natural resources in each county.

Section 92.06 of the Wisconsin State Statutes require that "each county board shall create a Land Conservation Committee" comprised of "at least two persons who are members of the Committee on Agriculture and Extension Education" of the County Board of Supervisors, the Chairperson "of the County Farm Services Agency Committee or another member of that committee as designated by its chairperson". Any number of persons "who are also members of the County Board", may also serve on the LCC.

## **Land Conservation Committee Members**

Norbert Dantine Jr., Chairperson  
5250 Finger Rd.  
Green Bay, WI 54311  
(920)863-6362

Bernie Erickson  
868 Dousman St.  
Green Bay, WI 54303  
(920)497-9006

Mike Fleck  
1402 Charles St.  
De Pere, WI 54115  
(920)336-3776

Dave Kaster, Vice Chairperson  
3008 Monroe Rd.  
De Pere, WI 54115  
(920)336-0221

Daniel Haefs  
1917 Smith St.  
Green Bay, WI 54302  
(920) 432-0069

Norbert Vande Hei  
Farm Service Agency (FSA)  
5681 Glenmore Rd.  
De Pere, WI 54115  
(920)863-2869

## **2008 Land Conservation Department Staff**

William Hafs, County Conservationist  
Jim Jolly, Program Manager  
Jon Bechle, Program Manager  
Dave Wetenkamp, Technician-Engineering  
Chris Flicek, Technician-Engineering  
Paul Lemke, Technician-Agronomist  
Brent Peterson, Technician-Agronomist  
Brad Holtz, Technician-Agronomist

Tammy Castonia, Technician-GIS  
Rama Zenz, Technician-Programs and Contracts  
Cori VanLanen, Account Clerk  
Gemma Templeton, Clerk Typist  
Leon Janowski, LTE-Northern Pike Habitat Project  
Larry Kriese, LTE-Northern Pike Habitat Project  
Emily Lamine- Summer Intern

## **ADOPTED RESOLUTIONS**

- Brown County Land Conservation Committee formed (May 19, 1982).
- Specified powers and responsibilities of Land Conservation Committee enumerated in Section 92.07 of Wisconsin State Statutes (May 18, 1983).
- Designated the Land Conservation Department county agency to participate in NR243 Animal Waste Management Program (March 21, 1984).
- Farmland Preservation Plan for Brown County (June 20, 1985).
- Brown County Animal Waste Storage Facility Ordinance (April 16, 1986).
- Brown County Manure Management Water Pollution Control Plan (June 20, 1986).
- Wildlife Damage Abatement and Wildlife Damage Claim Program (September 17, 1987).
- Brown County Erosion Control Plan (March 18, 1988).
- East River Priority Watershed Plan (May 15, 1991).
- Streambank Protection Ordinance (October 18, 1991).
- Approved membership and participation in the Great Lakes Nonpoint Abatement Coalition (GLNAC) Wisconsin Chapter (July 26, 1993).
- Red River/Sturgeon Bay Priority Watershed Plan (September 20, 1996).
- Branch River Priority Watershed Plan (January 30, 1996).
- Duck, Apple/Ashwaubenon Creeks Priority Watershed Plan (May 21, 1997).
- Brown County Agricultural Shoreland Management Ordinance (June 12, 1998).
- Revised the Animal Waste Facility Ordinance (April 1986) to create Chapter 26 Animal Waste Management of the Brown County Code (January 20, 1999).
- Land and Water Resource Management Plan for Brown County (March 17, 1999).
- Approval of Conservation Reserve Enhancement Program (December 19, 2001).
- 2004 – 2008 Land and Water Resource Management Plan (January 21, 2004).
- Creation of Special Revenue fund of \$40,000 for groundwater contamination of wells through 2009 (October 18, 2006).
- Revised the Animal Waste Management Ordinance to include groundwater protection provisions including winter spreading plan requirements and unconfined manure pile definitions (November 13, 2006).
- Revised the Brown County Animal Waste Ordinance to clarify nutrient management plan requirements and add NRCS 313 language (June 27, 2007).

# 2008 ACCOMPLISHMENTS

## 2004-2008 Brown County Land and Water Resource Management Plan

2004-2008 LWRM Plan Goals	2004	2005	2006	2007	2008	TOTAL INSTALLED 2004-08
Install buffer strips on 25 miles of streams by 2008 (400 miles buffers needed estimated 2004)	6.87 miles	6.59 miles	2.14 miles	0.86 miles	5.8 miles	22.26 miles
Install Nutrient Management Plans on 25,000 acres (new acres) by 2008 (170,879 acres cropland total)	7,136 acres	12,858.8 acres	9,608.2 acres	4030.4 acres	9,281.8 acres	42,915.20 acres
Annually review and certify existing and new Nutrient Management Plans to 75,000 acres by 2008. (170,879 acres cropland total)	57,136 acres	69,994.8 acres	79,603 acres	83,633.4 acres	92,915.2 acres	92,915.2 acres
Install conservation practices to T value rates on fields in ASMA of 2,500 acres per year (12,500 total) by 2008 (25,140 acres estimated > T total)	2,524.8 acres	3,089.8 acres	2,753.5 acres	1383.5 acres	975 acres	10,726 acres
Install conservation practices to correct State Manure Management Prohibitions on 25 sites by 2008 (73 total sites est in 2004)	19 sites	19 sites	13 sites	10 sites	11 sites	72 conservation practices

170,879 acres is the amount of cropland taken from the assessors report to Brown County in 2003. Brown County GIS reported 182,672 acres of cropland in 2003.

25,140 acres > T based on the Brown County Soil Erosion Control Plan, it is estimated that 21% of this cropland is over T. [119,718 acres of cropland in ASMA x 21%(estimated over T)=25,410 acres]

**Buffers:** 1,200 miles of streams in Brown County. 800 miles of streams in Brown County have adequate buffers, estimated 400 miles of stream need protection.

**Nutrient Management:** 170,879 acres of cropland in Brown County (2003) of which 50,000 acres have nutrient management plan (2003)

**Cropland Erosion:** 119,718 acres of cropland are located in the Agriculture Shoreland Management Area (ASMA-within 300 feet of a stream) according to LCD GIS. These fields will need to conform to the State Standard of reaching T (3 tons/acre/year)

**Manure Management Prohibitions s. 281.16(3)(a) estimates (2003):**

3-no overflow of manure storage structures

30-no unconfined manure stacking in Water Quality Management Areas (300' from stream)

30-no direct runoff from feedlots or stored manure to waters of the state

10-no unlimited livestock access to waters of the state where animals prevent inadequate sod cover

## 2008 ANNUAL REPORT SUMMARY

Administered West Shore Pike Habitat Project which included funding through the National Fish and Wildlife Federation to hire 2 LTE's to work on the Suamico River Pike Habitat Restoration Project. Installed 5.8 miles of buffer strips and 14 acres of wetland restoration projects

Administered a \$56,000 grant for nutrient management planning (590) which resulted in 1000 acres of new cropland having a 590 plan.

Coordinated well sampling program in the Town of Morrison. 61 wells were tested and 21 wells (34%) were found to have unsafe levels of nitrates (>10ppm).

5.8 miles of buffer strips installed.

4,030.4 acres of new 590 plans (nutrient management).

Reviewed 92,915 acres of nutrient management plans (590).

Installed 833 acres of high residue management and cropland protection to T in the ASMA.

7 unused wells were abandoned through Land & Water Plan and EQIP funding.

11 State Manure Management Prohibition practices installed.

Developed 70 winter spreading plans.

Issued 24 animal waste permits (4 abandonment's, 12 new or alterations, 8 feedlots).

Reviewed 10 Wildlife Damage claim requests totaling approximately \$35,000 from State funding. Issued 6 shooting permits. Donated 146 deer to Hunt for the Hungry.

Investigated 52 complaints of which 9 were violations to the Brown County Animal Waste Ordinance with 4 of those resulting in a Notice of Violation.

Sold 19,900 hardwood and evergreens through the annual tree sale.

2 non-metallic mining reclamation plans and site reviews.

Land and Water Plan cost-share administration.

Monitor and annually review cost-share agreements, contracts, and conservation practices installed in priority watersheds including the East River (208), Branch River (190), Red River (52), and Duck, Apple/Ashwaubenon Creeks (200).

Formed Brown County Waste Transformation Committee, solicited \$245,000 in public/private contributions to advance the project through 14 "decision points".

Inspected 30 animal waste storage facilities with livestock greater than 500 animal units. Sent letters to all waste haulers and industry informing them of nutrient management planning (590) requirements and animal waste storage requirements per state statute and county ordinance.

## WEST SHORE PIKE HABITAT PROJECT 2008 ACCOMPLISHMENTS

- Approximately 14 miles of stream corridor benefited from this project; 5.8 miles were enhanced and protected and another 9 miles were made accessible for migrating fish by replacing perched culverts.
- Over 14 acres of wetlands (spawning marshes) were installed.
- 5.8 acres of vegetated riparian buffers were installed.
- Over 15 acres of critical area planting installed.
- 4 perched culverts were replaced with project money and another 2 replaced by the Village of Suamico.
- The major fish species that benefited from the project was the Northern Pike. Wetlands created will also benefit ducks as well as other waterfowl. Wisconsin Department of Natural Resources (WDNR) research has shown that wetland complexes like the ones installed has produced up to 20,000 pike fry per acre.
- 7 presentations to various local and national conservation groups were made resulting in donations of nearly \$10,000.
- 2 tours were given to local government, agency staff and conservation groups.
- The project included 8 contracts with 7 private landowners.
- The US Fish and Wildlife Service assisted with the technical design for several of the projects and also provided an additional \$40,000 to help defray the landowners' portion (30%) of the cost of the project.
- Various local and national conservation groups provided money to the project. A riparian buffer demonstration project was installed which includes educational signs and walking paths that will be viewed by approximately 250,000 people annually.
- The 8 projects installed through this program will guarantee perpetual stream management for approximately 5 miles of stream which flow into and out of a county waterfowl preserve while ultimately discharging into the Bay of Green Bay.
- This project has a waiting list of approximately 20 private landowners who want to do work through this program in the future. We have several permits pending for construction work in the summer of 2009.



## FUNDING HISTORY

<b>Brown County Program History 1983-2006</b>	<b>Grant \$ 2008</b>	<b>Total Grant \$ 1983-2007</b>	<b>Total Grant \$ 1983-2008</b>
Kewaunee River Priority Watershed	\$0	\$135,103	\$135,103
Farmland Preservation	\$402,823	\$14,990,156	\$15,392,979
Wildlife Damage Abatement Program	\$27,574	\$576,520	\$604,904
East River Priority Watershed	\$0	\$2,729,332	\$2,729,332
Red River Priority Watershed	\$0	\$228,838	\$228,838
Branch River Priority Watershed	\$0	\$3,016,516	\$3,016,516
Duck, Apple/Ashwaubenon Creeks Priority Watershed	\$150,554	\$1,284,789	\$1,435,343
Agriculture Shoreland Management Program	\$0	\$630,476	\$630,476
Town Agriculture Shoreland Management	\$0	\$159,825	\$159,825
Land and Water Resource Management	\$115,770	\$762,803	\$878,573
Conservation Reserve Enhancement Program (CREP)	\$0	\$870,988	\$870,988
Technical Assistance Staff	\$177,463	\$10,912,370	\$11,089,833
Plum Creek (Federal Grant 2002-04)	\$0	\$24,998	\$24,998
Baird Creek (EPA Grant 1999)	\$0	\$14,500	\$14,500
DNR Buffer Incentive Payments (CREP)	\$0	\$60,600	\$60,600
Baird Creek Buffer Grant (2002-03)	\$0	\$50,000	\$50,000
National Fish and Wildlife Foundation	\$33,000	\$27,500	\$60,500
West Shore Pike Restoration Project	\$149,459	0	\$149,459
MALWEG	\$0	\$9871	\$9871
<b>TOTAL</b>	<b>\$1,056,643</b>	<b>\$36,485,185</b>	<b>\$37,542,638</b>
<b>BROWN COUNTY LEVY FOR LCD</b>	<b>\$557,088</b>	<b>\$5,036,848</b>	<b>\$5,593,936</b>

# LAND & WATER CONSERVATION DEPARTMENT

## 2009 WORK PLAN

Priorities -Implementation schedule/ Work Plan Goal and Objective description	Total estimated needs	Yearly rate	2009-13 goals	Priority Water Quality Goals	Results
<b>Goal 1 - Identify priority farms</b>				<b>High</b>	
1. Identify Ag operations with WPDES permit, ordinance permit, AGMZ, NR243	TBD			High	
2. Rank farms, high sediment fields, no 590 plan, other waste not on 590 plan, no winter spreading plan, no buffers	TBD			High	
3. Track implementation/ compliance	TBD			High	
4. Notify Priority farms/ needed actions. All landowners will be notified of state requirements and county ordinance requirements.	TBD			High	
<b>Goal 2 - Implement Best Management Practices (BMP's) on Priority Farms</b>				<b>High</b>	
1. Implement BMP's in Ag Groundwater Mgmt Zones				High	
<b>Required activities:</b>					
a. Require Buffers	20 miles	2 mile/ yr	10 miles	High	
b. Prohibit unconfined manure piles 1000 feet of delivery systems	5	1/yr	5	High	
c. Prohibit winter spreading without winter spreading plan	10	10/yr	50	High	
d. Yearly inspection of Animal Waste Storage Facilities	15	15/yr	75	High	
<b>Recommended activities:</b>					
a. No discharge of untreated waste from feedlots or milkhouse	5	1/yr	5	High	
b. No diversion of surface runoff into sinkholes or bedrock openings	TBD			High	
c. No drain tile outlets to sinkholes or bedrock openings	TBD			High	
d. No row crops or chemicals within 100 feet of delivery systems	TBD			High	
e. Spill response plan for waste storage, transportation of waste	TBD			High	
f. Immediate incorporation of land applied waste	TBD			High	
g. Maximum application rates 3,000 gallons or 6,000 gallons per year	TBD			High	
h. No animal waste or feed storage built within 400 feet of conduits to groundwater	TBD			High	

<b>Priorities -Implementation schedule/ Work Plan Goal and Objective description</b>	<b>Total estimated needs</b>	<b>Yearly rate</b>	<b>2009-13 goals</b>	<b>Priority Water Quality Goals</b>	<b>Results</b>
<b>2. Animal Waste Mgmt Ordinance Chapter 26 admin.</b>				<b>High</b>	
a. Install nutrient management plans new acres (total Ag acres 164,237. 140,000 acres estimated to be achievable, 90,000 installed end of 2008)	50,000	5,000 ac/yr	25,000 acres	High	
b. Annually Review and certify existing 590 plans. 95,000 - 115,000 ac	140,000	95,000 - 115,000 ac/yr	95,000 - 115,000 ac/yr	High	
c. Annually review and approve 75 winter spreading plans	75	75/yr	375	High	
d. Install 5 State Manure Management Prohibitions per year	TBD	5/yr	25	High	
e. Annually inspect manure storage facilities 500au, over flows, liner failure	38	38/yr	190	High	
f. Upgrade non conforming animal waste storage facilities	50	1/yr	5	High	
g. Permitting and engineering for 15 animal waste storage facilities	TBD	15/yr	75	High	
h. Notice of violations	TBD	3/yr	15	High	
i. Animal Waste complaint inspections	TBD	20/yr	100	High	
j. Incorporate other waste into 590 plans (total 29,368.9 acres - DNR 2007)	29,368 acres	2500 ac/yr	12,500 acres	High	
<b>3. Buffer installation Chapter 22, 10 administration</b>				<b>High</b>	
a. Install 5 miles of buffer strips per year (out side of AGMZ)	350 miles	5 miles/yr	25 miles	High	
<b>4. Waste Transformation Project admin. (see appendix)</b>				<b>High</b>	
a. Funding and grants administration	TBD			High	
b. Secure waste streams from industry and agriculture	TBD			High	
c. Coordinate animal waste delivery and nutrient management plan	TBD			High	
d. Administration and coordination of project	TBD			High	
<b>5. Groundwater Protection Program administration</b>				<b>High</b>	
a. Town meetings	11	3/yr	15	High	
b. Well Testing	TBD	200/yr	1000	High	
c. Old well abandonment cost share and contracts	980	10/yr	50	High	
d. Field verification of karst features and add to AGMZ map	TBD	20 sites/yr	100	High	
e. Proposed County Well abandonment ordinance (est. 980) abandonment	980	30/yr	150	High	

Priorities -Implementation schedule/ Work Plan Goal and Objective description	Total estimated needs	Yearly rate	2009-13 goals	Priority Water Quality Goals	Results
<b>6. West Shore Pike Habitat Restoration Project admin. (contingent on funding)</b>				<b>High</b>	
a. Buffer strip installation (included in objective 2)	10 miles	2 miles/yr	10 miles	High	
b. Wetland restorations - acres of spawning marshes corrected	100 acres	5ac/yr	25 acres	High	
c. Culvert corrections - replace perched culverts	50	2/yr	10	High	
d. Cost share administration - contracts per year - \$50,000/ yr	100 contracts	5/yr	25 contracts	High	
e. Grants reporting to granting agencies				High	
<b>7. Total Maximum Daily Load (TMDL) admin. (contingent on funding)</b>				<b>High</b>	
a. Planning meetings	TBD			High	
b. Contacts with landowners	TBD			High	
c. Implementation of work elements	TBD			High	
d. Administration and coordination of project	TBD			High	
<b>8. Windmill siting administration</b>				<b>High</b>	
a. Site reviews for Towns	100	20/yr	100	High	
b. Drainage patterns, culvert sizing. Karst, bedrock protection.	TBD			High	
c. Access road layout	TBD			Medium	
<b>Goal 3 - LWCD and State programs</b>				<b>Medium</b>	
<b>1. LWCD Department Administration</b>				<b>Medium</b>	
a. Budget development and monitoring				High	
b. LCC meetings				High	
c. Secretary support, phone calls, customer service				High	
d. Tree Program	TBD	10,000 trees sold/yr	50,000	Medium	
e. Annual Report, Annual work plan				Medium	
f. Leave				Medium	
g. Equipment management				Low	
h. 50cent per Ag acre fee notification	3500	3500 /yr	17,500	High	
i. Non Metallic Mining program technical assistance	10	2/yr	10	Low	
<b>2. Wildlife Damage Program Administration</b>				<b>Medium</b>	
a. Technical support to landowners	TBD	15/ yr	75	Medium	
b. Cost share for abatement \$10,000 per year 2-3 landowners/year	TBD	2/yr	10	Medium	
c. Claims \$40,000 per year - 8-10 landowners per year	TBD	8/yr	40	Medium	
d. Hunt for Hungry coordination				Medium	
e. Administration, grants, reimbursements				Medium	

<b>Priorities -Implementation schedule/ Work Plan Goal and Objective description</b>	<b>Total estimated needs</b>	<b>Yearly rate</b>	<b>2009-13 goals</b>	<b>Priority Water Quality Goals</b>	<b>Results</b>
<b>3. Install soil conservation practices</b>				Low (funding)	
a. Install conservation tillage through cost share on 136 acres per year	TBD	136 acres/yr	680 acres	Low	
<b>4. Farmland Preservation Program Administration</b>				Low (funding)	
a. Notification of 450 landowners per year	450	450/yr	2,250	Low	
b. Monitoring of 450 landowners per year	450	450/yr	2,250	Low	
c. Compliance with State Standards (complaint based)	450	5/yr	25	Low	
d. Notice of non-compliance to state	450	10/yr	50	Low	
<b>5. Priority Watershed Program Administration</b>				Low (funding)	
a. Contract monitoring	500	500/yr	2500	Low	
b. Operation and Maintenance compliance checks	500	10/yr	50	Low	


## BUDGET PERFORMANCE MEASURES 2009


Winter spreading plans per year	75
Animal Waste	
• Complaints	20
• Ordinance permits	25
• Storage inspections	35
Miles of buffer strips installed	7
Old wells properly abandoned	10

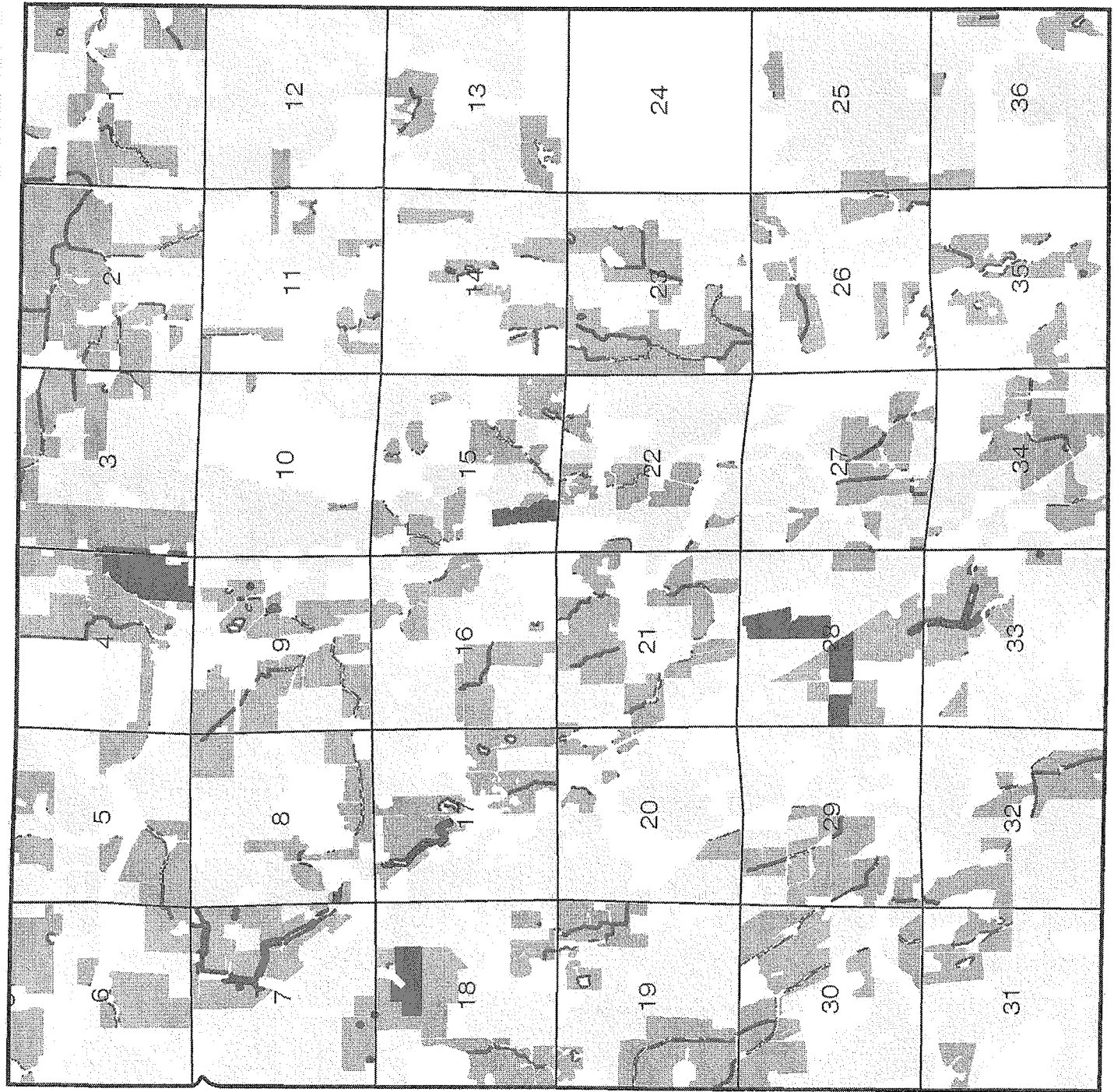
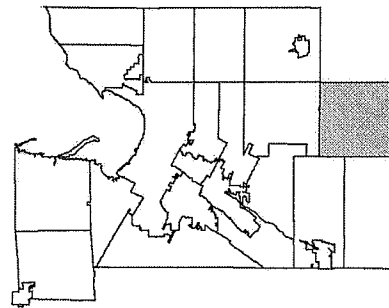
# **Agriculture Groundwater Management Zone**

**Town of Morrison**

 Agriculture Groundwater  
Management Zone (AGMZ)

 Agriculture Fields  
Intersect with AGMZ  
5,655 acres

 Agriculture Fields  
Not in AGMZ  
8,752 acres



RUSSELL D. FEINGOLD  
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# United States Senate

WASHINGTON, DC 20510-4904

COMMITTEE ON THE BUDGET  
COMMITTEE ON FOREIGN RELATIONS  
COMMITTEE ON THE JUDICIARY  
SELECT COMMITTEE ON INTELLIGENCE  
DEMOCRATIC POLICY COMMITTEE

December 17, 2008

Mr. William C. Haf's  
County Conservationist  
Brown County Land Conservation Dept  
1150 Bellevue St  
Ag & Extension Center  
Green Bay, WI 54302-2210

Dear Mr. Haf's,

I hope this letter finds you well. I am writing to update you on my efforts to pass legislation to keep our waters clean for drinking, recreation, and our economy.

The health of our rivers, streams and other waters is essential to the pristine beauty of Wisconsin, and to ensuring clean drinking water for millions of Americans. Losing protections for these waters would jeopardize the drinking water for millions of Americans and do irreversible harm to Wisconsin's great outdoors. Failing to protect waters upstream also affects water downstream, including Lake Superior and the other Great Lakes, which are among our most celebrated natural resources and help drive Wisconsin's economy.

For years, upstream waters, including isolated wetlands and headwater streams, were protected by the Clean Water Act, which has had broad support across the political spectrum since its enactment in 1972. But recent Supreme Court decisions have jeopardized those protections, putting nearly 20 million acres of wetlands habitat and over 50 percent of our stream miles in the lower 48 states at risk of becoming polluted or wiped out altogether unless Congress takes action.

I joined with Representatives James Oberstar (D-MN) and Vernon Ehlers (R-MI) to introduce the Clean Water Restoration Act to accomplish one important goal – ensure that the Clean Water Act stays in place. Our bill will maintain historic Clean Water Act protections for more than half of our nation's streams, 20 million acres of wetlands, and the drinking water of 110 million Americans who depend on these now vulnerable waters. The legislation, which has support across the political spectrum, does not add new jurisdictional waters, will not alter regulated activities, and maintains longstanding existing exemptions, such as those for agriculture, ranching, and forestry.

The Clean Water Restoration Act reaffirms the original intent of Congress and longstanding Environmental Protection Agency and U.S. Army Corps regulations that allow protection of wetlands and streams crucial for clean water. Americans continue to rank pollution of drinking water as their top environmental concern, and now is not the time to abandon our commitment to drinkable, swimmable, and fishable waters.

1600 ASPEN COMMONS  
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(608) 328-1215 (TDD)

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401 5TH STREET  
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(715) 848-5660

425 STATE STREET  
ROOM 225  
LA CROSSE, WI 54601  
(608) 782-5585

1640 MAIN STREET  
GREEN BAY, WI 54302  
(920) 465-7508

Wisconsin is an environmental leader, and has already taken steps to protect waters inside our state. Unfortunately, water knows no state boundaries and the relaxed laws of other states can negatively affect Wisconsin's waters. Without the Clean Water Restoration Act, we risk a hodge-podge of state laws that end up punishing those states like Wisconsin that have appropriate water protections on the books.

As Wisconsinites, we are rightly proud of our state's beautiful lakes, rivers, and streams, which provide recreation, drinking water, and essential economic benefits. We have a responsibility to protect our nation's waters for future generations. Congress should not stand aside while the courts roll back more than three decades of federal protections for our waters. During the 110th Congress (2007-2008) several hearings were held on the Clean Water Restoration Act in both the Senate and House of Representatives, an important sign of progress we hope to build on in the coming year as we reintroduce the Clean Water Restoration Act. I hope you will contact me with your thoughts about this issue, or any other issues of importance to you. As always, I look forward to hearing from you.

Sincerely,



Russell D. Feingold  
United States Senator



P.O. Box 7857  
Madison, WI 53707-7857  
[www.doj.state.wi.us](http://www.doj.state.wi.us)

**J.B. VAN HOLLEN**  
**ATTORNEY GENERAL**

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## **NEWS RELEASE**

For Immediate Release  
February 5, 2009

For More Information Contact:  
Bill Cosh 608/266-1221

### **UNITED MEADOWS DAIRY, LLC OF BROWN COUNTY ORDERED TO PAY \$46,000 FOR VIOLATIONS OF STATE WATER POLLUTION CONTROL LAWS**

**MADISON** – The Wisconsin Department of Justice has settled a lawsuit against United Meadows Dairy, LLC and its owner/operator Jeff Meulemans, for violations of state water pollution control laws at United Meadows' dairy operation in Brown County.

According to the complaint, filed at the request of the Department of Natural Resources (DNR), United Meadows Dairy milks approximately 525 cows and collects the manure and sand bedding from its operations in a clay-lined open-topped manure storage pit. Twice during 2005, this manure pit became too full and overtopped. In 2007, the manure pit overtopped again, and 20,000 to 30,000 gallons of liquid manure flowed through Apple Creek and into the Fox River. The complaint states that by discharging pollution to waters of the state without a permit, United Meadows violated Wisconsin's Clean Water Act. Manure spills that are not reported also violate Wisconsin's Spills Law, which requires prompt reporting and remediation.

Under the terms of the settlement agreement, United Meadows has agreed to pay penalties, costs and assessments totaling \$46,000 for the violations. The settlement agreement requires that United Meadows upgrade its manure pit, manure loading platform, and feed storage area leachate collection system during 2009. The agreement requires United Meadows to mark the maximum operating level (MOL) for its manure storage pit, and to pay additional forfeitures if the manure storage: (1) exceeds the MOL level before November 2009; (2) lacks adequate capacity next winter; or (3) discharges to waters of the state during the next three years. DNR is also in the process of issuing a Wisconsin Pollutant Discharge Elimination permit to United Meadows, now defined as a concentrated animal feeding operation, which will further regulate the dairy's manure management.

"It is against the law for farms to discharge manure into Wisconsin's waters," Attorney General J.B. Van Hollen said. "The permitting process is intended to regulate farms to prevent discharges from their production area as well as closely monitors the land application

of manure in order to protect the waters of the state. The Department of Justice will continue to work with the DNR to ensure compliance with the law and to help prevent future violations."

Assistant Attorney General Diane L. Milligan prosecuted the case. The settlement was approved by Brown County Circuit Court Judge Sue E. Bischel.

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# **Nitrate issues well up in Morrison's water supply**

## **Residents continue fight for safe water**

BY TONY WALTER • TWALTER@GREENBAYPRESSGAZETTE.COM • JANUARY 30, 2009

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**TOWN OF MORRISON** — Many residents still are wary of drinking their well water a little more than two years after tests first showed high nitrate levels in 34 percent of the town wells.

"We have a sign on the refrigerator that says 'Don't drink the water,'" said Vern Propson, whose well on his Hill Road property in the town of Morrison showed a nitrate level of 29.68 parts per million.

His well is among the one-third of the 61 tested in early December that had nitrate levels above the state and federal maximum allowable of 10 parts per million. The county's Land Conservation Department had the wells tested at the request of Morrison officials to gauge the impact of fall manure spreading on area farms.

In late 2006, more than 60 wells in Morrison tested dangerously high for bacteria, leading the state to issue a water boiling requirement to residents that remained in effect for several weeks.

Well tests for nitrates in February 2007 indicated just 28 percent of the wells were over the 10 parts per million standard, but the tests last month showed an increase back to the 34 percent level.

"Again, it raises the concern where we have shallow soil, sinkholes or fractured bedrock," said Bill Hafs, Brown County Land Conservation Department director. "Anything we put on the land is going to get into the drinking water."

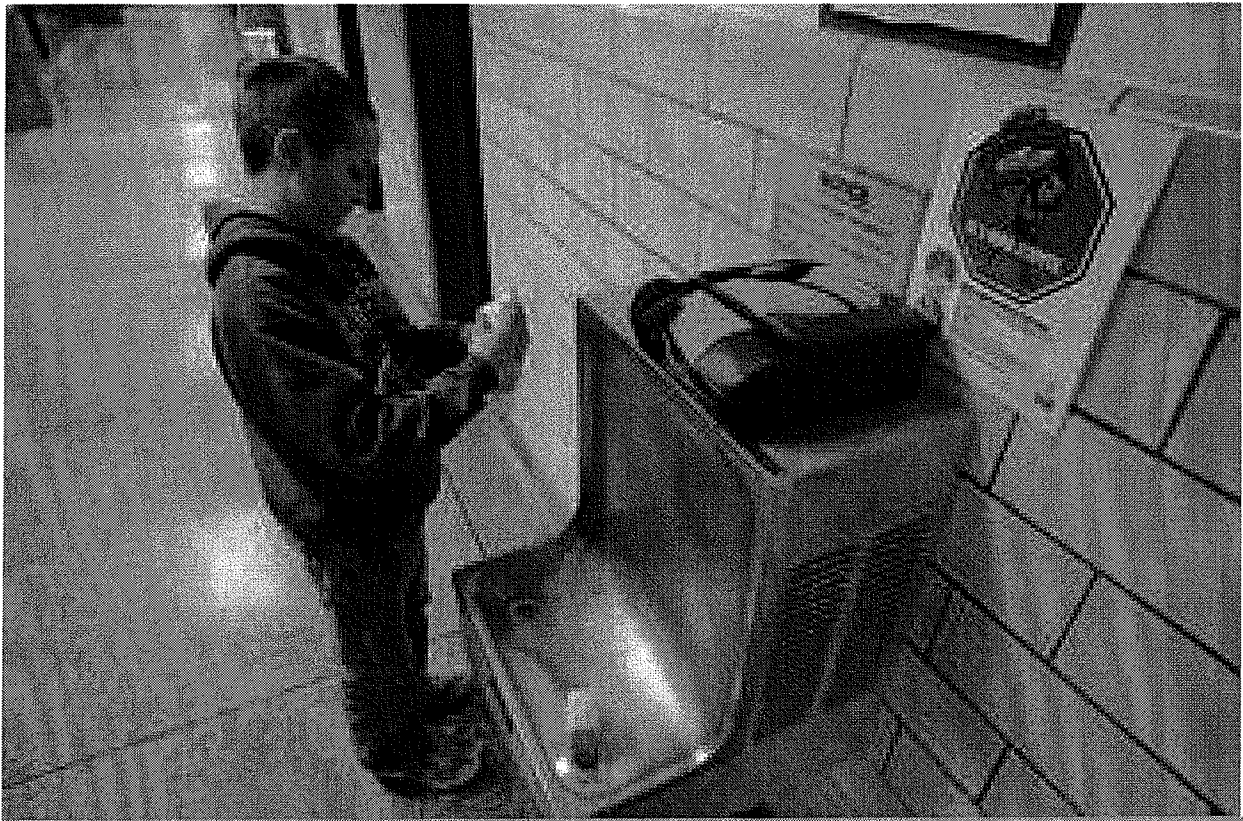
The solution isn't a quick one, and property owners with bad wells should get an alternate water source, such as bottled water, Hafs said.

Nitrates, a mixture of nitrogen and oxygen often used in fertilizer, can easily be carried into the groundwater by rainwater or melting snow. It can cause serious health risks, especially to babies younger than 6 months by reducing the blood's ability to carry oxygen. People with heart or lung diseases and cancer patients also can be more sensitive to the toxic effects.

Propson's well had the highest nitrate concentration of those tested in December.

"What can I do?" Propson said. "They (packing plants or large farms) dump manure with dump trucks. The stuff is 16 inches deep and it's just 50 to 60 feet from my house."

Zion Lutheran School in Wayside has its well water tested regularly, leading former custodian Mel Loppnow to put signs at every water fountain warning students about the toxin. Despite the concern, it's the only water source for the students.



Fifth-grader Hunter Kussow, 11, fills his water bottle from a drinking fountain Thursday at Zion Lutheran School in Wayside. Corey Wilson/Press-Gazette "You can drink the water," said Loppnow, who retired at the end of last year. "We've been high in nitrates at the school for as long as they've been testing. But we don't have bacteria in the water."

Morrison has a problem with high nitrates because the landscape features karst, which is known for its soluble or fractured bedrock, shallow soil and sinkholes — all impacting the groundwater.

The Brown County Land Conservation Department is working with farmers to let them know which areas have the most soluble soil so they can avoid it, Hafs said.

Despite the high level of nitrates in Morrison, Paul Lemke, an agronomist with the Land Conservation Department, said the management of nutrients is better than it was 10 years ago.

"I truly believe we're better than we were before," Lemke said. "Maybe we can have areas where it (spreading) is more restricted. But as long as you're farming the land, you're going to have issues with nitrates."

Carlin Aerts, who lives at 3952 Lark Road, learned that his well contained 18.08 parts of nitrate.

"I'm not sure what we're going to do," Aerts said.

# Project aims to produce fertilizer from wastes

By Judy Brown

Correspondent

**CHILTON** — With the highest cattle density in northeastern Wisconsin and urban sprawl sprawling, Brown County has accelerated its investigation into how to handle growing amounts of dairy manure and industrial wastes spread on a diminishing land base.

Applying waste on limited crop acreage has led to groundwater contamination issues and pollution problems of lower Green Bay.

The solution lies in a value-added pelleted fertilizer, county officials said Jan. 30 at the quarterly meeting of the Glacierland Resource Conservation & Development Council.

Brown County Executive Tom Hintz said commercial development of the project that's in the feasibility stage could add to the county's \$3 billion dairy industry that provides jobs for 10 percent of the county's workforce.

"I truly believe in this project," Hintz said.

The Brown County Waste Transformation Project will work to deal with the issue of managing livestock and industrial wastes, which has been a challenge for many years. The issue grew in the past few years when more and more contaminated wells were reported.

Brown County has 90,000 dairy animal units, which ideally would require 225,000 acres of cropland for manure disposal. In 2007, Brown County assessors said the county has 170,000 crop acres to handle manure.

The county Land Conservation Department identified 26 companies that apply waste to Brown County land. That list includes vegetable and dairy processors, septic service companies, municipal wastewater treatment facilities and meatpacking plants.

When the county LCD staff began casting for answers to their challenge, they found two companies in the Green Bay area that had technologies that could convert organic waste streams from municipal, industrial or agricultural sources to pelletized pathogen-free fertilizer.

The companies are FEECO and ENCAP.

"I think we have the opportunity to make this into a green industry," said Bill Hafs, county conservationist.

If the idea flourishes, he said, it would have implications in other counties that face growing pressures from the ability to handle manure and maintain water quality.

"A lot of our factories are bringing their waste to

your counties," Hafs said.

One meat processor in Green Bay takes waste materials to a landfill near Hilbert in Calumet County, council members were told.

The project has raised \$250,000 to carry out the study in transforming agricultural and industrial wastes into a value-added product.

Brad Holtz of the LCD said studies show the fertilizer is useful in applying nutrients to the land and in erosion control.

John Katers, a UW-Green Bay environmental engineer, described how the product will prove to be useful.

"We are taking landfill products that historically had zero value and are turning it into a product that has demand in the marketplace," Katers said.

While the project is in the study stage, he said, additional investigations would address how to efficiently handle dairy manure to transport components to a central location.

One area of study looks at separating dairy manure that would leave producers with a liquid high in nitrogen and low in phosphorous. The study also will evaluate the feasibility of a mobile separator that would go from farm to farm, Katers said.

The study also will examine how to bring dairy waste material to a central location with an anaerobic manure digester on site.

In that way, Katers said, green technology from the digester could produce the energy to produce a green fertilizer because the biggest cost in fertilizer production in the plant is the heat for the dryer.

He said the appeal of the process that turns waste into pellets of fertilizer is attractive to industrial and commercial sources that now pay tipping fees to unload their wastes and are also held to environmental liability standards.

Both of those issues would disappear with the emergence of the technology on a commercial scale, Katers said.

While no location has been selected for a production plant, nor have the logistics been ironed out as to who would own or operate such a plant, Katers expects a plant will be operating in Brown County in a few years.

It's an idea that's likely to be accepted in other locations, he said, because it's a technology that reduces phosphorous loss and sediment and landowners gain the fertilizer benefits.

Judy Brown can be reached at [jlbrown@vbe.com](mailto:jlbrown@vbe.com).